

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO**

OHIO DEMOCRATIC PARTY,

Plaintiff,

v.

OHIO REPUBLICAN PARTY, DONALD J.  
TRUMP FOR PRESIDENT, INC., ROGER J.  
STONE, JR., and STOP THE STEAL INC.,

Defendants.

Civil Action No. 1:16-cv-02645

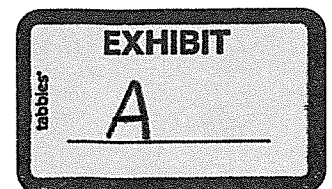
JUDGE JAMES S. GWIN

MAGISTRATE JUDGE THOMAS M.  
PARKER

**DECLARATION OF DAVID A. PEPPER**

I, David A. Pepper, being of full age and upon my oath according to law, hereby declare as follows:

1. I am the Chairman of the Ohio Democratic Party, the Plaintiff in the above-captioned matter. I hereby make this declaration to address my statement in the Cincinnati Enquirer that is cited by Defendant Ohio Republican Party in its Motion to Dismiss and Objection to Proposed Order, ECF No. 10.
2. An October 31, 2016 article in the Cincinnati Enquirer states that I said I have not heard of any problems this year and that "We are very confident that people will be able to vote free of intimidation and harassment." As the Chairman of the Ohio Democratic Party, I must strike a careful balance between doing what is necessary to protect the right of people to cast a



ballot unencumbered and at the same time not add to any fear or trepidation that exists for too many due to the Trump campaign's thinly veiled attempts at voter intimidation. While it is true I have not learned of any cases of voter intimidation thus far at the State's early vote locations, I remain concerned about what will occur on election day. It is election day that has been the focus of the extreme rhetoric and calls for action by Mr. Trump and his surrogates, and election day is where my greatest concerns lie.

3. The purpose in filing the present action is to ensure that all Ohio voters will be able to vote freely, without fear of intimidation or harassment at the polls. I filed it because I was concerned about what will occur as Mr. Trump and his surrogates continue to incite their supporters to target polling locations in communities of color, creating a real and imminent threat of intimidation and harassment. From every indication, the people they are encouraging to come to the state's majority minority urban centers have very little or no training on being a poll observer and are not knowledgeable about what is or is not lawful behavior under Ohio law.

I hereby certify that the foregoing statements made by me are true to the best of my knowledge and belief. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

/s/ David A. Pepper  
David A. Pepper  
Chairman, Ohio Democratic Party  
340 E. Fulton St.  
Columbus, Ohio 43215  
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Dated: November 3, 2016